



PATENT
Attorney Docket No.: SALK2270-4
(088802-5211)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ronald M. Evans
For: XENOBIOTIC COMPOUND
MODULATED EXPRESSION
SYSTEMS AND USES THEREFOR
Appl. No.: 09/840,008
Filing
Date: 04/20/2001
Examiner: Not Assigned
Art Unit: 1632

CERTIFICATION UNDER 37 CFR § 1.8

I hereby certify that the documents referred to as
enclosed herein are being deposited with the United
States Postal Service as first class mail on the date
below, in an envelope addressed to: Assistant
Commissioner for Patents, Washington, D.C. 20231

Stephen E. Reiter
(Name of person mailing paper)

Signature

Date

RECEIVED
FEB 04 2002
TECH CENTER 1600/2900

Commissioner for Patents
Washington, D.C. 20231

IDS TRANSMITTAL

Sir:

Transmitted herewith for the above-identified application please find:

- (1) Information Disclosure Statement
- (2) Copies of Form PTO-1449's from parent applications
- (3) Return Receipt Postcard

The Commissioner is hereby authorized to charge any fees that may be required by this paper
or credit any overpayment to Deposit Account No. 50-0872.

Respectfully submitted,

Date: 11/14/01

FOLEY & LARDNER
402 W. Broadway, 23rd Floor
San Diego, California 92101

Stephen E. Reiter

Reg. No. 31,192

Attorney for Applicant

Telephone: (858) 847-6711

Facsimile: (858) 792-6773

COPY OF PAPER
ORIGINALLY FILED



Atty. Dkt. No. SALK2270-4
(088802-5211)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ronald M. Evans
Title: XENOBIOTIC COMPOUND
MODULATED EXPRESSION
SYSTEMS
AND USES THEREFOR
Appl. No.: 09/840,008
Filing Date: 04/20/2001
Examiner: Not assigned
Art Unit: 1632

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.

Stephen E. Reiter

(Printed Name)

Step E.

(Signature)

11/14/01

(Date of Deposit)

RECEIVED
FEB 04 2002
TECH CENTER 1600/2900

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant submits herewith copies of Form PTO-1449's listing documents cited by or submitted to the U.S. PTO in parent application Serial Nos. 09/005,286, filed January 9, 1998, and 09/227,718, filed January 8, 1999. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent applications.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR § 1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP § 609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date: 11/14/01

FOLEY & LARDNER
402 West Broadway, 23rd Floor
San Diego, California 92101-3542
Telephone: (858) 847-6711
Facsimile: (858) 792-6773

By SEP E.

Stephen E. Reiter
Attorney for Applicant
Registration No. 31,192

RECEIVED
FEB 04 2002
TECH CENTER 1600/2900